

**STATEMENT OF DANIEL N. WENK, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 312 AND H.R. 497, A BILL TO AUTHORIZE THE MARION PARK PROJECT, A COMMITTEE OF THE PALMETTO CONSERVATION FOUNDATION, TO ESTABLISH A COMMEMORATIVE WORK ON FEDERAL LAND IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS TO HONOR BRIGADIER GENERAL FRANCIS MARION**

**April 26, 2007**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on S. 312 and H.R. 497, bills to authorize the Marion Park Project, a committee of the Palmetto Conservation Foundation, to establish a commemorative work on Federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion.

The Department of the Interior supports enactment of S. 312 and H.R. 497, and we suggest that a technical correction be made to S. 312 to make it consistent with the House-passed companion bill, H.R. 497. The Senate bill references "the Marion Park Project and Committee of the Palmetto Conservation Foundation" as the entities authorized to establish the commemorative work. We suggest an amendment to change this reference to "the Marion Park Project, a committee of the Palmetto Conservation Foundation." The National Capital Memorial Advisory Commission considered proposals to establish this memorial on June 27, 2006, and unanimously endorsed the establishment of a memorial in the Nation's Capital to Brigadier General Francis Marion.

S. 312 and H.R. 497 would establish a commemorative work on Federal land to honor Brigadier General Francis Marion in accordance with the Commemorative Works Act. They would prohibit Federal funds from being used to pay any expense of the establishment of the commemorative work, requiring the Marion Park Project and Committee of the Palmetto Conservation Foundation to be solely responsible for funding and establishment. After payment of the expenses for establishing the commemorative work, which includes the offset for the maintenance and preservation of the memorial, or upon expiration of the authority for the commemorative work, S. 312 and H.R. 497 would direct all remaining funds to be transmitted to the Secretary of the Treasury for deposit in an account provided for this purpose. S. 312 also would direct any funds remaining for the commemorative work upon expiration of legislative authority to be transferred to the same account.

Memorials built in the District of Columbia and its environs on lands managed by the National Park Service or the General Services Administration are established in accordance with the Commemorative Works Act. If a memorial is proposed on lands managed by the National Park Service, the Commemorative Works Act requires that within 7 years from the date of enactment, the sponsor obtain approvals for its location and design from the Secretary of the Interior, the National Capital Planning Commission, and the Commission of Fine Arts and complete its fundraising for the memorial. The National Park Service issues a permit to begin construction of the memorial as soon as construction documents are certified and evidence of sufficient funds to complete the memorial have been provided by the sponsor. The Commemorative Works Act also requires an additional 10 percent of the construction cost to be provided to defray future unbudgeted maintenance costs. Since 1986, memorials that range from large-scale memorials to

memorial plaques have been established under the terms of the Commemorative Works Act. These have fully met the requirements to obtain a permit to begin construction.

Although S. 312 and H.R. 497 do not designate a specific site for the memorial, they recognize that U.S. Reservation 18 has been named Marion Park since 1878 but lacks a formal commemoration to Brigadier General Francis Marion. Marion Park is located between 4th and 6th Streets, S.E at the intersection E Street and South Carolina Avenue, S.E. in Washington, D.C. This site is located in Area II under the Commemorative Works Act, which requires that the subject be of “lasting historical significance to the American people.” While Marion Park is the logical place to locate this memorial, we would like the opportunity to study alternative locations with potential nexus to Brigadier General Marion under the provisions of the Commemorative Works Act. Site selection is an important part of the process established by the Commemorative Works Act. Thus, recognizing Marion Park in the findings of the bill, rather than designating it as the site for the commemorative work, is appropriate.

Brigadier General Francis Marion commanded the Williamsburg Militia Revolutionary force in South Carolina and was instrumental in delaying the advance of British forces by leading his troops in disrupting supply lines. He is credited for inventing and applying innovative battle tactics in this effort, keys to an ultimate victory for the American Colonies in the Revolutionary War. Additionally, Brigadier General Marion’s troops are believed to have been the first racially integrated force fighting for the United States. In our judgment he is certainly worthy of being commemorated in our Nation’s Capital.

Mr. Chairman, thank you for the opportunity to comment. This concludes my prepared remarks and I will be happy to answer any questions you or other subcommittee members might have.